From: Eric
To: Microsoft ATR
Date: 1/17/02 9:09am
Subject: Microsoft Settlement

To whom it may concern;

As a long time developer - using Microsoft products - and computer enthusiast, I would like to say that any proposed action that does not include harsh punitive measures and very strict "go forward" conditions will not be satisfactory.

Microsoft has repeatedly leveraged it's position on the desktop to force competitors out of the business. Many small companies have been purchased by Microsoft - and then never heard from again. Presumably to stifle the direction that the company was moving. Microsoft gave away "free" their Internet Explorer browser as part of the operating system , but in doing so, they ruined the browser market.

They have corrupted web standards in paticular by adding in "gotchas". I am a Web Developer and it is very painful to have to deal with multiple visions of "standards". Due to Microsoft's desktop control, anything written with general approved "standards" will frequently not work correctly in their browsers. Microsoft has made feeble attempts at working with approved W3C standards, but, in my estimation, only as a token gesture. Thus, in order to provide content to the millions of people on the internet which should be based on approved "standards", one must take into account the MS browsers that will inevitably fail due to MS "standards" being the norm as MOST users will be using that browser.

I believe the whole concept is rather difficult to explain, but we have a company that is able to dictate with complete impunity the direction that any future software will take. That situation needs to be addressed and remedied with the same impunity.

Microsoft has ignored improving the state of it's software and put the consumer in a very poor position. As we see on a very regular basis, Microsoft's software is frequently very buggy, full of security holes, and in general something that would not be tolerated in any other market. Yet, currently there is no other widespread option. I personally have turned to Linux in an attempt to rid myself of the Microsoft "scourge". But I am also a 20 year computer user with serious technical background - and still develop with Microsoft technologies for my employer. That is NOT to say that Linux will not be viable in the future, but currently it is not ready for mainstream. Could computer manufacturers put something else on their machines? The answer currently is a shaky "Yes", but I believe only due to the current scrutiny that Microsoft is under. The moment the limelight turns elsewhere, Microsoft will heavily discourage and make it generally unprofitable for those manufacturers to choose any other path than that

dictated by Microsoft - unless very closely monitored.

Software innovation has been stifled by the Microsoft dominance. As pointed out above, the software that they produce is not the epitome of reliabilty. If an auto manufacturer released a car that would fail with the regularity of Microsoft software, there would be horrible repercussions until that product was withdrawn or re-engineered to reliable specifications. Yet we are subjected on a daily basis to software that is very poor. Why? They have no need to innovate or improve as their position is very secure. It has become rather routine for them to buy a company to rid itself of the competition that a startup company's product may bring at maturity.

Prior efforts by the government to contain Microsoft have failed miserably. They are a very large company with huge cash reserves. The proposed settlement in which Microsoft gives away it's operating system to public schools may sound like a grand gesture. In review, it is nothing more than yet another marketing ploy.

I cannot believe that our government, under the auspices of protecting the consumer, would be agreeable to allowing Microsoft to further spread it's market share in a government sanctioned settlement such as the one proposed. This particular aspect of the settlement is an incredible miscarriage of justice and in no way protects any consumer - and actually adds to the existing problem by furthering their monopoly power.

Microsoft has shown itself to be monopolistic and predatory in the legal sense. In the "fairness" sense, it has shown itself even further lacking. Micorosft has used every opportunity, that, while legal is not "fair", to control the market and subject users to current Microsft whims and desires.

They have created a situation where most people in the United States are currently paying them on a yearly basis to have access to the software that is a very important part of this nation's operations. Worse, Microsoft is showing strong indications that this is to become worse rather than better. They are currently changing their licensing agreements which will cost even more than before to the consumer. Microsoft is obviously doing nothing to change their behavior by themselves. If left unchecked or with poor agreements such as the current proposed settlement, the monopoly and situation can only get worse.

We as a nation have spent millions directly on this case: we as businesses forced to use Microsoft software pay daily in ever-increasing costs of business: and finally, we as consumers pay for it on a daily basis with lost productivity waiting for crashes, software failures and general poor results using the substandard software that has become as necessary as electricity and water to us. The only solution for the end consumer at this point is to look to our government to step in and rectify this problem.

Level the playing field. Restore the competition to the software industry. Do

not allow Microsoft to quietly snicker in the corner after they get the opportunity to hook hundreds of thousands of young users on Microsoft software. Reject the current proposal and draft one with some serious remedies. The monopoly must be broken decisively - not coddled or cajoled.
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Cheers!

Eric Erickson
112 Trailing Oak Trail
Clayton, NC 27520

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